

1 Teresa M. Corbin (SBN 132360)
Denise M. De Mory (SBN 168076)
2 Jaclyn C. Fink (SBN 217913)
HOWREY LLP
3 525 Market Street, Suite 3600
San Francisco, California 94105
4 Telephone: (415) 848-4900
Facsimile: (415) 848-4999

5 Attorneys for Plaintiff SYNOPSYS, INC.
6 and for Defendants AEROFLEX INCORPORATED,
AMI SEMICONDUCTOR, INC., MATROX
7 ELECTRONIC SYSTEMS, LTD., MATROX
GRAPHICS, INC., MATROX INTERNATIONAL
8 CORP., MATROX TECH, INC. and
AEROFLEX COLORADO SPRINGS, INC.

9 UNITED STATES DISTRICT COURT
10
11 NORTHERN DISTRICT OF CALIFORNIA
12
13 SAN FRANCISCO DIVISION

14 RICOH COMPANY, LTD.,

15 Plaintiff,

16 vs.

17 AEROFLEX INCORPORATED, AMI
SEMICONDUCTOR, INC., MATROX
18 ELECTRONIC SYSTEMS LTD., MATROX
GRAPHICS INC., MATROX
19 INTERNATIONAL CORP., MATROX TECH,
INC., AND AEROFLEX COLORADO
20 SPRINGS, INC.

21 Defendants.

22 SYNOPSYS, INC.,

23 Plaintiff,

24 vs.

25 RICOH COMPANY, LTD.,

26 Defendant.

Case No. C03-4669 MJJ (EMC)

**DECLARATION OF ROBERT B. SMITH IN
OPPOSITION TO RICOH'S MOTION FOR
SANCTIONS**

1 I, Robert B. Smith, declare as follows:

2 1. I am the Director of IP Management of AMI Semiconductor, Inc. ("AMI"). I have been
3 an employee of AMI from April 19, 1976 to April 14, 1980 and since November 15, 1982, and I am
4 familiar with our operations and facilities from February 1997 to the present. I make this Declaration
5 of my personal knowledge, and if called as a witness, I could and would testify competently to the
6 statements contained herein.

7 2. AMI and certain of its subsidiaries, closed a deal with Flextronics International USA
8 and certain of its subsidiaries, on or about September 9, 2005 to acquire some of the assets and certain
9 liabilities of Flextronics, Inc. As a result of that asset acquisition, AMI now sells in the United States
10 a limited number of products that were synthesized using Design Compiler by Flextronics prior to its
11 acquisition by AMI and its subsidiaries. Based on my preliminary investigation, which has been made
12 quite difficult by the fact that AMI related entities no longer employ a number of former Flextronics
13 employees, I have identified three ASICs that were synthesized using Design Compiler by Flextronics
14 in the United States prior to the asset acquisition that are currently being sold by AMI. I have
15 identified two ASICs that were synthesized using Design Compiler prior to the asset acquisition that
16 AMI does not make or sell, but on which it realizes a royalty revenue stream. At or around the time of
17 the Flextronics asset acquisition, AMI Semiconductor Israel Ltd. was formed. AMI Semiconductor
18 Israel Ltd. is a separate legal entity. I have identified one chip from AMI Semiconductor Israel Ltd.
19 that was synthesized using Design Compiler in Israel; I have not yet been able to determine whether
20 that chip is sold by AMI in the United States. In addition, some of the Flextronics assets were
21 incorporated into AMI Semiconductor Netherlands BV. I have not yet been able to determine whether
22 AMI Semiconductor Netherlands BV designed any ASICs using Design Compiler that were sold by
23 AMI in the United States.

24 3. In or about November of 2004, AMI and certain of its subsidiaries entered in an
25 agreement with Dspfactory and certain of its subsidiaries wherein certain assets were purchased and
26 certain subsidiaries were acquired. In particular, Dspfactory S.A. was acquired and renamed AMI
27 Semiconductor Switzerland S.A. I have learned that there are potentially four ASICs that were
28

1 synthesized using Design Compiler by Dspfactory S.A. in Switzerland prior to being acquired. I have
2 not yet been able to determine whether any of these ASICs have been sold by AMI in the United
3 States.

4 4. In or about June of 2002, AMI and certain of its subsidiaries acquired the assets of the
5 mixed signal business of Alcatel Microelectronics NV from STMicroelectronics NV. AMI realizes
6 revenue for sales in the United States of a limited number of products that were designed by Alcatel
7 Microelectronics in Europe prior to the asset acquisition. At around the time of the asset acquisition,
8 several separate but related legal entities were created including the following: AMI Semiconductor
9 Belgium BVBA, AMI Semiconductor Netherlands BV, and AMI Semiconductor Czech s.r.o. Since
10 the time of the STMicroelectronics asset acquisition, AMI has sold ASICs in the United States that
11 were synthesized using Design Compiler by one or more of these entities in Europe. It is my current
12 understanding that a total of eight ASICs were synthesized using Design Compiler by Alcatel
13 Microelectronics, or the newly formed entities, and sold by AMI in the United States.

14 5. The corporate structure of AMI is complicated. Each of the newly formed separate
15 legal entities is ultimately wholly owned by AMI through or in conjunction with other separate but
16 related legal entities. Other legal entities were created as a result of the acquisitions described above.
17 Based on current information, none of the other entities created by virtue of these acquisitions
18 synthesized ASICs using Design Compiler that are sold by AMI in the United States.

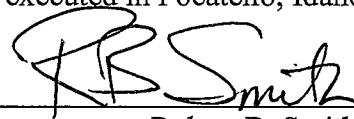
19 6. My investigation into these products designed by entities who have been acquired or
20 whose assets have been acquired or are designed by the separate legal entities described above has
21 been complicated because these entities do not share a common accounting system, and there is no
22 standardized manner of storing information relating to ASICs across these corporate boundaries.

23 7. AMI uses the term Business Unit to refer to a grouping of products or services that use
24 the same technology and are targeted to a specific market segment. A Business Unit is not a corporate
25 entity, and in fact, AMI Business Units extend across corporate boundaries.

26 8. I did not include products in my product declaration from two Business Units. The first
27 Business Unit that was not included is comprised solely of assets acquired from Flextronics and all
28

1 issues relating to ASICs designed by this Business Unit are described in Paragraph 2 above. In
2 particular, the only two products potentially at issue from this Business Unit are the products on which
3 AMI only recognizes a royalty revenue stream. The other Business Unit for which I did not include
4 products is a newly formed business unit. To best of my knowledge, that unit currently has no chips in
5 production, and thus I did not include any products from this Business Unit in the product declaration.

6 I declare under penalty of perjury under the laws of the United States of America that the
7 foregoing is true and correct. This declaration was executed in Pocatello, Idaho on March 14, 2006.

8 

9 _____
Robert B. Smith